

# MEMO ENDORSED

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By Facsimile (914) 390-4152

August 29, 2008

United States District Judge Kenneth M. Karas  
United States District Court  
United States Courthouse  
300 Quarropas Street, Chambers 533  
White Plains, New York 10601-4150

Re: **Marty Calderon v. Ralph Arce et al.**  
08 Civ. 1516

Dear Judge Karas:

This office represents Ralph Arce, a Defendant who is sued in his individual and official capacity in the above-referenced action. I am writing at the suggestion of your Law Clerk, Erik with whom I spoke regarding a document this office received by email from Plaintiff on August 28, 2008 which is entitled "Motion to Amend Complaint to Add Defendant".

Plaintiff's purported Motion to Amend seeks to add Caseworker Dorothy Bernacki as a Defendant based upon allegations that, *inter alia*, subsequent to July 3, 2008, Ms. Bernacki did not authorize certain expenses for Plaintiff in connection with Plaintiff's requests for emergency assistance.

Defendants'<sup>1</sup> motions to dismiss are to be filed on September 4, 2008. In light of the issues raised by the purported Motion to Amend, County Defendants respectfully request an extension of time to file their motion to dismiss which will also contain opposition to the purported motion to amend. County Defendants request that they be granted until **September 25, 2008** to file their motion and opposition.

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<sup>1</sup> The State Defendants have filed their motion. It does not appear that Plaintiff is seeking to add any other State Defendants.

Should your staff have any questions, I can be reached at (914) 995-3577. Thank you.

Respectfully,

Irma W. Cosgriff  
Senior Assistant County Attorney

IWC/st

SO ORDERED

USDJ KENNETH M. KARAS

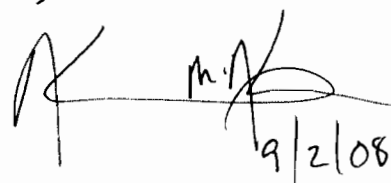
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County Defendants' request is granted.

They now have until September 25, 2008  
to file their motion to dismiss and their  
opposition to Plaintiff's motion to amend her  
complaint.

So ordered.

  
9/2/08